

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

V.

**CASE NO. 1:01CR19
(Financial Litigation Unit)**

**VIRGINIA H. RATCLIFF,
aka/VIRGINIA HAWKINS, GINNIE,**

and

**PEARLMAN' S CARPET,
Garnishee.**

CONSENT ORDER OF CONTINUING GARNISHMENT

The parties, the United States of America, the defendant, and the garnishee, agree and stipulate as follows:

1. The defendant's name is Virginia H. Ratcliff, aka/Virginia Hawkins, Ginnie ("Ratcliff"), social security number xxx-xx-8148, and the last known address is in Asheville, SC.
2. A judgment was entered against Ratcliff in this action wherein she was ordered to pay an assessment, and restitution in the amount of \$47,000.00. The parties agree and stipulate that the total balance due is \$24,877.47, as of June 27, 2007.
3. The garnishee has in its possession, custody or control property of Ratcliff in the form of wages paid to Ratcliff.
4. The defendant Ratcliff waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. §3205, and further waives her right to a hearing under said statute and any other process to which Ratcliff may be entitled under 28 U.S.C. §3205, and further waives her right to a hearing under said statute and any other process to which she may be entitled under 28 U.S.C. §3001. et. sec.
5. The garnishee waives service of an application for a writ of continuing garnishment

as required by 28 U.S.C. §3205, and further waives its right to answer and waives being heard in this matter and any other process to which the garnishee may be entitled under 28 U.S.C. §3001. et. seg.

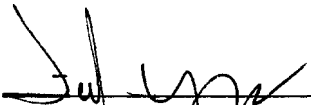
6. Ratcliff agrees and stipulates that her wages are subject to garnishment under 28 U.S.C. §3205 and expressly agrees and stipulates that the entry of a Consent Order in Garnishment is proper.

7. The defendant Ratcliff also agrees and stipulates that the plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive will be offset and applied to this debt.

8. The parties agree and stipulate to the entry of a Consent Order of Continuing Garnishment against the non-exempt wages of Ratcliff. It is expressly agreed and stipulated to by the parties that the garnishee pay the plaintiff 25% per month of the defendant's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments and continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to Ratcliff or until further Order of this court. *See* 15 U.S.C. 1673.

9. Payments should be made payable to the United States Clerk of Court and mailed to United States Clerk of Court, 100 Otis Street, Asheville, NC 28811. Respectfully submitted,

GRETCHEN C.F. SHAPPERT UNITED STATES ATTORNEY


JENNIFER A. YOUNGS
ASSISTED STATES ATTORNEY

Agreed and Consented to:

1/1 . . . 24/ . . . 10

Virginia Hawkins Ratcliff, Defendant
201 Chambwood Park, Apartment F
Asheville, NC 28804

Pearlman's Carpet 80 Charlotte
Street Asheville, NC 28801

Agreed and Consented to:

Virginia Hawkins Ratcliff
Defendant
201 Chambwood Park, Apartment F
Asheville, NC 28804



x)
Registered Agent for Garnishee
Pearlman's Carpet 80 Charlotte
Street Asheville, NC 28801

APPROVED AND SO ORDERED.

Signed: August 24, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

